

REMARKS/ARGUMENTS

The final Office Action mailed June 4, 2007, has been carefully reviewed and these remarks are responsive thereto. Reconsideration and allowance of this application are respectfully requested. In accordance with the above amendment, claims 1-9, 12-15, 17-21, 25-27, and 29-30, and 32-34 are pending.

The specification has been amended to correctly spell "Terrestrial" with lower case "e" and correct the spelling for "organizations" in paragraph [0003], to delete the word "is" between "(LLC) advanced link that" and "may be employed" in paragraph [0015], and to delete the word "geeb" and to insert the word "been", and to correct the spelling of "signaling" in paragraph [0052]. No new matter has been inserted.

Claims 11, 24 and 31 were objected to under 37 CFR 1.75(c), as being improper dependent form for failing to further limit the subject matter of a previous claim. Claims 11, 24 and 31 have been cancelled, rendering this objection moot.

Rejection under 35 U.S.C. 112

The Office Action rejects claims 1, 2, 3, 4, 5, 6, 12, 14, 15, 17, 18, 19, 20, 21, 25, 27, 29, 30, 32, 33 and 34 under 35 U.S.C. 112, second paragraph, as being indefinite for failing to particularly point out and distinctly claim the subject matter which applicant regards as the invention. Claims 11, 24 and 31 have been cancelled, rendering the rejection of claims 11, 24, and 31 moot. The other rejected claims have been amended to clarify the claimed subject matter and provide an antecedent basis where appropriate. In view of the foregoing, it is respectfully submitted that the rejection under 35 U.S.C. 112, second paragraph be withdrawn.

Rejection under 35 U.S.C 103

Claims 1-8, 11-15, 17-21, 24-27, 29-34 were rejected under 35 U.S.C. 103(a) as being unpatentable over Gallant et al (US Patent 5,711,008) in view of Fong et al. (US Patent 6,931,569). Gallant was not cited in the first Office Action.

As recognized in the Office Action, Gallant does not disclose changing the state of the data channel to the other state based on an indication by a further timer in a logical link control

(LLC) layer of the connection function model that is lower than a layer on which said timer function is implemented.

Independent method claim 1 has been amended to include the features “wherein the step of activating comprises transmitting an advanced link segment to the layer of the further timer and transmitting a signal from the layer of the further timer to the SNDCP entity that reception of a segment has started.”

Independent apparatus claim 29 has been amended to include the features “the lower level function layer configured to receive advanced link segments, and configured to signal a message to a Subnetwork Dependent Convergence Protocol (SNDCP) entity that reception of a segment has started.”

Independent apparatus claim 30 has been amended to include the features “the lower level function layer configured to receive advanced link segments, and configured to signal a message to a Subnetwork Dependent Convergence Protocol (SNDCP) entity that reception of a segment has started.”

Neither Gallant nor Fong teaches the above features. Gallant teaches a ready timer in layer 3, but no further timer in a layer that is lower than the layer of the ready timer. While Fong may suggest that the receive side link layer sets a timer for each lost packet data unit that it detects, there is no teaching in Fong of “the step of activating comprises transmitting an advanced link segment to the layer of the further timer and transmitting a signal from the layer of the further timer to the SNDCP entity that reception of a segment has started” as claimed in independent method claim 1. Similarly, there is no teaching in Fong of “a further timer implemented in a lower function layer of a connection function model than on which said ready timer is implemented, the lower level function layer configured to receive advanced link segments and configured to signal a message to a Subnetwork Dependent Convergence Protocol (SNDCP) entity that reception of a segment has started” as claimed in independent claims 29 and 30. Thus, the proposed combination of Gallant and Fong, even if proper, does not result in the subject matter claimed in independent claims 1, 29 and 30.

The pending dependent claims are patentable for the at least the same reasons the independent claims, as well as the additional features claimed therein.

CONCLUSION

All rejections having been addressed, applicants respectfully submit that this application is in condition for allowance, and respectfully request issuance of a notice of allowance. The Examiner is invited to contact the undersigned should it be deemed helpful to facilitate prosecution of the application.

Respectfully submitted,

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